UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

No. 1:16-cr-62

vs.

Hon. Paul L. Maloney

BELKIS SOCA-FERNANDEZ,

Defendant.

DEFENDANT SOCA-FERNANDEZ'S PROPOSED VOIR DIRE

Defendant Belkis Soca-Fernandez requests permission to pose the following questions on *voir dire* of the prospective jurors in this case:

1. We request to read the reasonable doubt instruction (1.03), and ask the jury panel if they would have any difficulty following this instruction and why the reasonable doubt standard is important.

2. We request to inform the jurors that one of their jobs as jurors is to decide how credible or believable a witness is and ask the jury panel what types of things would be important for them to consider in evaluating the credibility of the witnesses.

3. We request to read the pattern instruction on the defendant not testifying (7.02A), and ask the jury panel if they would have difficulty following this instruction.

4. We request to refer to the instruction regarding the testimony of a witness who has received a benefit in exchange for his cooperation and testimony (7.07), and to ask the jurors if they agree that the testimony of such a witness should be given more caution and if so, why.

5. We request to refer to the instruction on the testimony of an accomplice (7.08), and ask the jurors if they agree that the testimony of such a witness should be given more caution and if so, why.

6. Because the defendant is of Cuban descent, as are the majority of the witnesses, we request to inquire of the jury whether potential cultural differences between those on the panel and those on trial would be a problem for any of the jurors.

The Order Setting Final Pretrial and Trial states that the parties will not be allowed to repeat questions asked by the Court. This, of course, makes sense but counsel for Ms. Soca-Fernandez is not familiar with the extent of the Court's own questioning of prospective jurors and it is of little help to the Court for counsel to request voir dire questions that the Court in any event intends to ask. Thus, counsel asks leave to file additional voir dire questions if necessary after the Final Pretrial when counsel learns of the Court's practice on the scope of its own questions to the jury panel.

Dated: February 24, 2017

Respectfully Submitted,

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